
SENATE BILL No. 376

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-1-9.

Synopsis: Release of Social Security numbers. Prohibits a state agency from releasing the Social Security number of an individual to the public unless required by state law, federal law, or court order.

Effective: July 1, 2002.

Ford

January 10, 2002, read first time and referred to Committee on Governmental and Regulatory Affairs.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 376

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-1-9 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]:

4 **Chapter 9. Release of Social Security Number by a State Agency**

5 **Sec. 1. (a) As used in this chapter, "state agency" means an**
6 **authority, a board, a branch, a commission, a committee, a**
7 **department, a division, or another instrumentality of the executive,**
8 **including the administrative, department of state government.**

9 **(b) The term includes the following:**

10 **(1) A state elected official's office.**

11 **(2) A state educational institution (as defined in**
12 **IC 20-12-0.5-1).**

13 **(3) A body corporate and politic of the state created by state**
14 **statute.**

15 **(c) The term does not include the judicial or legislative**
16 **departments of state government.**

17 **Sec. 2. A state agency may not disclose the Social Security**

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number of an individual unless:

(1) the disclosure of the Social Security number is expressly required by state law, federal law, or a court order; or

(2) the individual expressly consents in writing to the disclosure of the individual's Social Security number.

Sec. 3. (a) This section applies if a record is a public record under:

(1) state law; or

(2) the policy of a state agency, if the agency has the discretion under state law to make a record of the public agency a public record or confidential record.

(b) If state law or the policy of a state agency:

(1) provides that a record of a state agency is a public record; and

(2) does not expressly provide that a Social Security number contained in the record is confidential;

the record may be disclosed to the public, but the Social Security number may not be disclosed to the public.

(c) Notwithstanding subsection (b), a Social Security number contained in a record of a state agency must be disclosed if a court order or federal law requires disclosure of the Social Security number.

Sec. 4. Unless prohibited by another state statute, a state agency may disclose the Social Security number of an individual to any agency of state or local government.

Sec. 5. If a state agency receives a document that contains a Social Security number that may not be disclosed as set forth in this chapter, the state agency may not disclose the Social Security number.

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